

### AMENDMENT and RESPONSE

In response to the Office Action dated February 23, 2004, kindly amend the application as follows:

#### IN THE CLAIMS:

Kindly amend the claims as shown in the listing of claims above.

#### REMARKS

Applicant thanks the Examiner for the courteous First Action on the merits.

#### Claim Rejection – 35 U.S.C. §112

Claims 5, 7, and 15-16 are rejected under 35 U.S.C. §112 as being indefinite. These claims have been amended above in a manner mooting the objections.

#### Claim Rejection – 35 U.S.C. §102(b) (U.S. Patent No. 5,152,481 – Cote et al.)

Claims 1-4, 6, and 8-10 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,152,481 (Cote).

Cote teaches a connector for a kite frame, providing cylindrical body members adapted to receive rod ends of a kite frame. Cote does not teach a connector connects to the airfoil and frame rods, as opposed to just frame rods. Claim 1 claims a connector having legs to receive rods and a saddle engageable with the kite airfoil. Cote does not anticipate claim 1.

Claims 2-4 include the airfoil positively and claim the engagement of the saddle with the airfoil portion; Cote has no relevant teaching on this structure.

Claims 5, 8, 9 and 10 are dependent on and patentable over Cote for reasons advanced in connection with claim 1.

Claims 6 and 7 are dependent on claim 1 and patentable for reasons advanced in connection with claim 1, and for their specific recitations of structure and relationships not found in Cote.

Claim 11 is directed to a kite having the specified connector saddle portion and engagement with the airfoil apertures not found in Cote. Claims 11-14 are patentable over Cote for reasons advanced in connection with parent claim 11, and as well for the specific features and relationships the recite, which are not found in Cote.

Claims 15-16 are patentable for reasons advanced in connection with claim 11.

Claim 17, a method claim, is patentable over Cote in that Cote does not teach engaging an airfoil with the connector.

#### Conclusion

Reconsideration and allowance of all claims are requested.

Respectfully submitted,



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Rec'd in the U.S. Patent & TM Office Mailroom:

- 1) Transmittal Letter
- 2) Amendment and Response to Office Action dated February 23, 2004
- 3) Certificate of Facsimile Transmission

Inventor: Don TABOR  
Title: Kite and Connector Assembly  
Serial No.: 10/618,239  
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